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FACSIMILE COVER

Date:	October 23, 2006		
To:	Office of Finance – Refund Branch	Fax Number #:	571-273-6500
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From:	Aviane Dimayuga		
Subject:	Account Adjustment	Time Sent:	8:15pm
Client/File:	Docket Number M-9793US-2 nd Request Previously faxed: July 5, 2005	Fax Operator:	AD

This transmittal consists of 2 total page(s), including this cover sheet.

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Our deposit account has been incorrectly charged the following amount:

Date	Seq	Posting Ref Text	Docket Nbr	Fee Code	Amount
06/30	192	09940083	M-9793US	2252	\$225.00

refund request

This has been previously charged earlier in the month of June

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Aviane Dimayuga

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Request for Continued Examination (RCE) Transmittal

Address to:
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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	09/940,083
Filing Date	August 27, 2001
First Named Inventor	Timothy R. Feldman et al.
Art Unit	3821
Examiner Name	Bayat, B.
Attorney Docket Number	M-9793 US

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

ii. ☒ Other Response to Final Office Action dated June 9, 2005.

b. ☐ Enclosed

i. ☐ Amendment/Reply

iii. ☐ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/ Declaration(s)

iv. ☐ Other _____

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(e) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____

3. Fees

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed. The Director is hereby authorized to charge the following fees, or credit any overpayments, to
- a. ☒ Deposit Account No. 50-2257 I have enclosed a duplicate copy of this sheet.

i. ☒ RCE fee required under 37 CFR 1.17(e): 06/13/2005 KBETEMAI 00000034 502257 09940083

ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17) 01 FC:2801 395.00 DA

iii. ☒ Other Fee Transmittal _____

b. ☐ Check in the amount of \$ _____ enclosed

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature	<i>Jonathan W. Hallman</i>	Date	<u>6-10-05</u>
Name (Print/Type)	Jonathan W. Hallman	Registration No.	42,622

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Signature	<i>Sandra R. Carr</i>	Date	<u>6-10-05</u>
Name (Print/Type)	Sandra R. Carr		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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06/13/2005 KBETEMAI 00000034 502257 09940083

02 FC:2252 225.00 DA

Adjustment date: 11/01/2006 SDIRETAI
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01 FC:2252 225.00 CR

10-23-06 14:14 FROM-MacPherson

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06-10-05 12:19 FROM-MSC&H LLP

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Alexandria, VA 22313-1450

Application Number	00/940,083
Filing Date	August 27, 2001
First Named Inventor	Timothy R. Feldman et al.
Art Unit	3521
Examiner Name	Bayal, S.
Attorney Docket Number	M-8793 US

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- a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may not be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. ☒ Other: Response to Final Office Action dated June 9, 2005.
- b. ☐ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Information Disclosure Statement (IDS)
- iii. ☐ Affidavit(s)/Declaration(s)
- iv. ☐ Other _____

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 6 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____

3. **Fees**

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed. The Director is hereby authorized to charge the following fees, or credit any overpayments, to:
- a. ☒ Deposit Account No. 50-2257. I have enclosed a duplicate copy of this sheet.
- i. ☒ RCE fee required under 37 CFR 1.17(e) 06/13/2005 KBETEXA1 00000034 502257 09940083
- ii. ☐ Extension of time fee (37 CFR 1.129 and 1.17) 01 FC:2801 395.00 BA
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Signature	Date
Name (print/type) Jonathan W. Hallman	Registration No. 42,622

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Signature	Date
Name (print/type) Sandra L. Carr	06-10-05

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is in the (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.19 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PAGE 4/21 * RCVD AT 10/23/2006 5:16:26 PM [Eastern Daylight Time] * SVR:USPTO-EFXXF-5/13 * DNIS:2736500 * CSID:408 392 9262 * DURATION (mm:ss):04:22

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